

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application.

Information Disclosure Statement

Applicant acknowledges receipt of a signed and initialed copy of the PTO/SB/08 form submitted with the Information Disclosure Statement of January 17, 2007. Applicant notes that a PTO/SB/08 form was also submitted with an Information Disclosure Statement on October 9, 2008. Applicant respectfully requests that the Office provide a signed and initialed copy of this PTO/SB/08 form with the next Office correspondence.

Rejection under 35 U.S.C. § 102

Claims 1-8, 11-13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,966,835 to Bakalar (hereafter "Bakalar"). This rejection is respectfully traversed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131.

Bakalar discloses a device for heat treating webs that includes cylinders 20 with IR burner modules 38 that heat an outer surface of the cylinders 20. See Bakalar at col. 1, lines 9-17; col. 11, lines 18-46, 52-67; col. 15, lines 32-59; col. 17, line 57, to col. 18, line 22.

Bakalar also discloses additional IR burners 38B external to the cylinders 20 for heating sides of the web opposite to the cylinders 20. See Bakalar at col. 18, lines 52-64.

However, Bakalar does not disclose a non-contact infrared drier installation for a passing web that is configured to heat the web without contacting the web with a heated surface, as recited in claim 1, because Bakalar discloses cylinders 20 that have outer surfaces heated by IR burner modules 38 within the cylinders 20. Although Bakalar also discloses external IR burners 38B, the heated surfaces of the cylinders 20 disclosed by Bakalar are in contact with a web processed by the system of Bakalar. Thus, Bakalar does not anticipate claim 1 because the system of Bakalar is not configured to heat a web without contacting the web with a heated surface, as recited in claim 1. Claims 2-8, 11-13, 15, and 16 depend from claim 1.

For at least the reasons discussed above, reconsideration and withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 9, 10, and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bakalar. This rejection is respectfully traversed. Claims 9, 10, and 14 depend from claim 1. As discussed above, Bakalar does not disclose or suggest all of the features of independent claim 1. Thus, Bakalar does not render claims 9, 10, and 14 to be unpatentable because Bakalar does not disclose or suggest all of the features of these claims. Furthermore, the Office appears to take Official Notice in regard to the features of claims 9, 10, and 14. Applicant submits that these features are not commonly known or disclosed in the prior art relied upon by the Office. Applicant respectfully requests that the Office provide prior art to show these features or withdraw the rejection. See M.P.E.P. § 2144.03.

Claims 17-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of U.S. Patent No. 6,665,950 to Riepe *et al.* (hereafter “Riepe”). This rejection is respectfully traversed. Riepe fails to remedy the deficiencies of Bakalar discussed above in regard to independent claim 1, from which claims 17-20 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Applicants submit that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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